

Attorney's Docket No. 1961-PAT**COMBINED DECLARATION AND POWER OF ATTORNEY**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION OR CIP)

As a below-named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: (check one applicable item below)

☒ Original☐ Design☐ SupplementalNOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check next item; check appropriate one of last three items.☐ National Stage of PCT

NOTE: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR C-I-P.

☐ Divisional☐ Continuation☐ Continuation-In-Part (C-I-P).**INVENTORSHIP IDENTIFICATION**

WARNING: If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTIONFIBER OPTIC VIDEO TRANSMITTER AND RECEIVER SYSTEM

Applicant or Patentee: DAVID CAIDAR and ABRAHAM ELMALAH Attorney's
Serial or Patent No.: _____ Docket No.: 1961-PAT
Filed or Issued: _____
For: FIBER OPTIC VIDEO TRANSMITTER AND RECEIVER SYSTEM

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27 (c) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☒ [XX] the owner of the small business concern identified below:
☐ [] an official of the small business concern empowered to act on behalf of
the concern identified below:

NAME OF CONCERN OPTICOMM CORPORATION

ADDRESS OF CONCERN 6046 Cornerstone Ct. West, Ste. 209, San Diego, CA 92122

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled FIBER OPTIC VIDEO TRANSMITTER AND RECEIVER SYSTEM by inventors DAVID CAIDAR and ABRAHAM ELMALAH described in

- ☒ [XX] the specification filed herewith
☐ [] application serial no. _____, filed _____
☐ [] patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____
ADDRESS _____
☐ [] INDIVIDUAL ☐ [] SMALL BUSINESS CONCERN ☐ [] NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____
☐ [] INDIVIDUAL ☐ [] SMALL BUSINESS CONCERN ☐ [] NONPROFIT ORGANIZATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

San Diego, CA 92121

DATE _____

00000000000000000000000000000000

006250-4484-052300

SPECIFICATION IDENTIFICATION

the specification of which:

(complete (a), (b) or (c))

- (a) ☒ is attached hereto.
- (b) ☐ was filed on _____ as
- ☐ Serial No. _____ or
- ☐ Express Mail No., as Serial No. not yet known _____ and was amended on _____ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

- (c) ☐ was described and claimed in PCT International No. _____ filed on _____ and as amended under PCT Article 19 on _____ (if any).

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations § 1.56, (also check the following items, if desired)

- ☐ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

- ☐ In compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international applications(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d) ☒ no such applications have been filed.

(e) ☐ such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)**

COUNTRY (or indicate if PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(34 U.S.C. § 119(e))**

I hereby claim the benefit under Title 35, United States Code,
§ 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

FILING DATE

____ / _____
____ / _____
____ / _____

**CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S)
UNDER 35 U.S.C. 120**



The claim for the benefit of any such applications are set forth in the attached ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART (C-I-P) APPLICATION.

ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

FRANK D. GILLIAM
4565 Ruffner Street, Ste. 200
San Diego, CA 92111

REG NO. 26,548

JOHN R. DUNCAN
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REG NO. 22,276

DONN K. HARMS
4565 Ruffner Street, Ste. 200
San Diego, CA 92111

REG NO. 38,911

(check the following item, if applicable)

☐ Attached, as part of this declaration and power of attorney, is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO:

FRANK D. GILLIAM
4565 Ruffner Street, Ste. 200
San Diego, CA 92111

DIRECT TELEPHONE CALLS TO:

FRANK D. GILLIAM
Tel (858) 292-0901
Fax (858) 292-0905

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature

Inventor's signature *Carl Pardo*

Date May 11/2000 Country of Citizenship THE UNITED STATES OF AMERICA

Residence 6046 Cornerstone Court West, Ste. 209, San Diego, CA 92121

Post Office Address 6046 Cornerstone Court West, Ste. 209

San Diego, CA 92121

Inventor's signature

Inventor's signature

Date 5/11/00 Country of Citizenship THE UNITED STATES OF AMERICA

Residence 6940 Weller Street, San Diego, CA 92122

Post Office Address 6940 Weller Street, San Diego, CA 92122

DECEMBER - DECEMBER

(check proper boxes) for any of the following added page(s)
that form a part of this declaration)

- ☐ **Signature** for fourth and subsequent joint inventors.
Number of pages added _____.

* * *

- ☐ **Signature** by administrator(trix), executor(trix) or legal
representative for deceased or incapacitated inventor.
Number of pages added _____.

* * *

- ☐ **Signature** for inventor who refuses to sign or cannot be reached by
person authorized under 37 CFR 1.47.
Number of pages added _____.

* * *

- ☐ Added page for **signature** by one joint inventor on behalf of
deceased inventor(s) where legal representative cannot be
appointed in time. (37 CFR 1.47)

* * *

- ☐ Added pages to combined declaration and power of attorney for
divisional, continuation, or continuation-in-part (C-I-P)
application.

☐ Number of pages added _____.

* * *

- ☐ Authorization of attorney(s) to accept and follow instructions
from representative.

If no further pages form a part of this Declaration then end this
Declaration with this page and check the following item

☒ This declaration ends with this page

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